

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America
v.
Nicholas Shamar Griffin

Date of Original Judgment: June 21, 2004
Date of Previous Amended Judgment: July 16, 2009

(Use Date of Last Amended Judgment if Any)

Case No: 7:03-CR-103-1F

USM No: 23590-056

Laura Wasco

Defendant's Attorney

AMENDED ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 149 months is reduced to 110 as to Counts 1 and 3*

*to run concurrent. Count 2 remains 60 months, consecutive.

THIS AMENDED ORDER WAS ISSUED TO CORRECT A CLERICAL ERROR.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated June 21, 2004, and July 16, 2009, shall remain in effect. **IT IS SO ORDERED.**

Order Date:

6/24/15

James C. Fox

Judge's signature

Effective Date:

(if different from order date)

James C. Fox, Senior U.S. District Judge

Printed name and title

This page contains information that should not be filed in court unless under seal.
(Not for Public Disclosure)

AMENDED ORDER

DEFENDANT: Nicholas Shamar Griffin
CASE NUMBER: 7:03-CR-103-1F
DISTRICT: Eastern District of North Carolina

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Total Offense Level: 30 Amended Total Offense Level: 26
Criminal History Category: V Criminal History Category: V
Previous Guideline Range: 151 to 188 months Amended Guideline Range: 110 to 137 months

II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ The reduced sentence is above the amended guideline range.

III. ADDITIONAL COMMENTS

Count 2 remains 60 months, consecutive.